

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

OPERATIVE PLASTERERS AND CEMENT
MASONS INTERNATIONAL
ASSOCIATION LOCAL 262 ANNUITY
FUND, Individually And On Behalf Of All
Others Similarly Situated,

Plaintiff,

v.

LEHMAN BROTHERS HOLDINGS, INC.,
RICHARD S. FULD JR., CHRISTOPHER M.
O'MEARA, JOSEPH M. GREGORY, and
ERIN CALLAN,

Defendants.

CIVIL ACTION NO. 1:08-cv-05523 (LAK)

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

NOTICE OF MOTION AND MOTION TO ADMIT COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, Avi Josefson, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Nichole Browning
Firm Name: Schiffrin Barroway Topaz & Kessler, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: nbrowning@sbtclaw.com

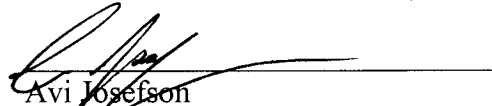
AUG 22 2008

925-661368

Nichole Browning is a member in good standing of the Bars of the State of Georgia and the State of California. There are no pending disciplinary proceedings against Nichole Browning in any State or Federal Court.

Dated: August 20, 2008

Respectfully submitted,
**BERNSTEIN LITOWITZ
BERGER & GROSSMANN, LLP**


Avi Josefson
1285 Avenue of the Americas
New York NY 10019
Telephone: 212-554-1400
Fax: 212-554-1444

Co-Lead Counsel for Lead Plaintiffs

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**AFFIDAVIT OF AVI JOSEFSON IN
SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

State of New York)
)
County of New York) ss.

Avi Josefson, being duly sworn, hereby deposes and says as follows:

1. I am an associate at Bernstein Litowitz Berger & Grossmann, LLP, Co-Lead Counsel for the Lead Plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Lead Plaintiffs' motion to admit Nichole Browning as counsel *pro hac vice* to represent the Lead Plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 2003. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Ms. Browning is an associate at Schiffrin Barroway Topaz & Kessler, LLP in Radnor, Pennsylvania.

4. I have found Ms. Browning to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to move the admission of Nichole Browning, *pro hac vice*.


6. In compliance with Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I have attached Certificates of Good Standing for Ms. Browning from Georgia and California issued within the past thirty days.

7. I respectfully submit a proposed order granting the admission of Nichole Browning, *pro hac vice*, which is also attached.

WHEREFORE it is respectfully requested that the motion to admit Nichole Browning, *pro hac vice*, to represent the Lead Plaintiffs in the above-captioned matter, be granted.

Dated: August 20, 2008

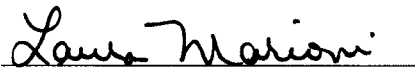
Respectfully submitted,
**BERNSTEIN LITOWITZ
BERGER & GROSSMANN, LLP**

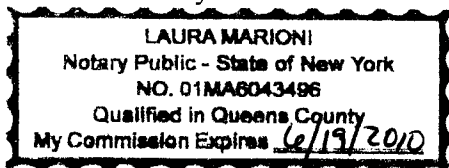

Avi Josefson
1285 Avenue of the Americas
New York NY 10019
Telephone: 212-554-1400
Fax: 212-554-1444

Sworn to and subscribed before me

Co-Lead Counsel for Lead Plaintiffs

this 20 day of August, 2008.


Notary Public





THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

August 7, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, NICHOLE TARA BROWNING, #251937 was admitted to the practice of law in this state by the Supreme Court of California on December 4, 2007; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature in black ink, appearing to read "Kath Lambert", is written over the printed name.

Kath Lambert
Custodian of Membership Records



STATE BAR OF GEORGIA

Lawyers Serving the Public and the Justice System

Ms. Nichole Tara Browning
Schiffirin Barroway Topaz & Kessler LLP
2125 Oak Grove Road, Suite 120
Walnut Creek, CA 94598

CURRENT STATUS: Active Member-Good Standing
DATE OF ADMISSION: 12/19/1997
BAR NUMBER: 090132
TODAY'S DATE: August 4, 2008

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #	Supreme Court Docket #	Disposition
N/A	N/A	N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by **State Bar Rule 1-204**. The member is current in license fees and is not suspended or disbarred as of the date of this letter.



STATE BAR OF GEORGIA

Brandy Preston

Official Representative of the State Bar of Georgia

HEADQUARTERS

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Atlanta, Georgia 30303
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(229) 387-0446 ■ (800) 330-0446
FAX (229) 382-7435

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**ORDER FOR ADMISSION *PRO HAC*
VICE ON WRITTEN MOTION**

Upon the motion of Avi Josefson, Co-Lead Counsel for the Lead Plaintiffs, and said
sponsor attorney's affirmation in support;

IT IS HEREBY ORDERED that

Applicant's Name:	Nichole Browning
Firm Name:	Schiffirin Barroway Topaz & Kessler, LLP
Address:	280 King of Prussia Road
City/State/Zip:	Radnor, PA 19087
Phone Number:	(610) 667-7706
Fax Number:	(610) 667-7056
Email Address:	nbrowning@sbtclaw.com

is admitted to practice *pro hac vice* as counsel for the Lead Plaintiffs in the above captioned case
in the United States District Court for the Southern District of New York. All attorneys
appearing before this Court are subject to the Local Rules of this Court, including the Rules

governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: _____

Lewis A. Kaplan, U.S. District Judge

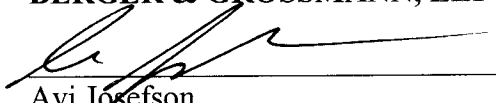
CERTIFICATE OF SERVICE

I, Avi Josefson, hereby certify that I filed true and correct copies of the foregoing documents:

- *PRO HAC VICE* MOTION, AFFIDAVIT, AND PROPOSED ORDER.

on Aug. 22, 2008 with the Clerk of the Court. All counsel on the attached Service List have been served copies of the forgoing documents via the U.S. Postal Service.

**BERNSTEIN LITOWITZ
BERGER & GROSSMANN, LLP**



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Counsel for The Pension Fund Group